

Proposed In-Situ Uranium Recovery (ISR) Operation near Edgemont, SD – Dewey Burdock

- The EPA Region 8 Underground Injection Control (UIC) Program has received two types of UIC Permit Applications for this operation: A Class III permit application for the injection of fluid to mobilize uranium in the ore bodies for recovery; and a Class V Permit Application for the disposal of ISR waste fluids into deep injection wells.
- The EPA has also received a request for the exemption of portions of aquifer where the uranium ore deposits occur in order to allow injection of fluids to mobilize uranium.
- EPA will provide public notice through newspapers and our website once permits are proposed as well as offer public hearings to obtain public input.
- Public comments that are received during the public notice period and public hearings will be considered in determining the issuance of final permits and requirements of those permits, and all comments will receive a response in the agency's final action.
- Additionally, under EPA's Tribal Consultation Policy, the agency consults on a government-to-government basis with federally recognized tribal governments when EPA actions and decisions may affect tribal interests. Consultation is process of meaningful communication and coordination between EPA and tribal officials prior to EPA taking actions or implementing decisions that may affect tribes.
- The site of the proposed ISR facility is located just southwest of the Black Hills, which is identified as a sacred site for many tribes, and EPA has made offers of consultation to 38 tribes. EPA has conducted formal consultation with six tribes that have requested such consultation.
- This consultation process is separate from the required public participation process which is triggered by the proposal of draft permits and/or aquifer exemption.

Q&A

1. What is this site?

The proposed in-situ uranium recovery project uses a series of injection wells to inject a solution into the ore body to dissolve the uranium. The uranium-bearing solution is then collected through recovery wells, pumped to a processing plant where the uranium is separated, and the waste solution is treated. That treated solution is disposed of into deep injection wells.

2. Why is EPA consulting with the tribes and not the general public?

American Indian tribes are sovereign governments recognized as self-governing under federal law. Because of their unique sovereign status, federally recognized tribes have the power to make and enforce laws on their lands, and to create governmental entities, such as tribal courts. Under its well-recognized "trust responsibility" to Indian tribes, the federal government has special obligations to protect tribal resources and uphold the rights of indigenous peoples to govern themselves on tribal lands. The unique legal status of American Indian tribes creates an important requirement for the federal government to consult directly with tribal governments

when contemplating actions that may affect tribal lands, resources, members, and welfare. This process is in addition to the public participation requirements.

3. Will I have an opportunity to provide comment/input into EPA's permitting process?

Yes. EPA permitting includes an important requirement for public participation. Proposed actions are required to be public noticed and allow time for the public to provide feedback and input into our proposed actions. The public can also request a public hearing to provide verbal comments on a proposed rule or permit if one has not already been scheduled. EPA is required to consider these comments in its final action and that action must include a response to comments on how those comments were considered and addressed.

4. When will EPA be providing an opportunity for public comment/input on these proposed permits and aquifer exemption and will this include a public hearing?

EPA intends to public notice the opportunity for public comment/input sometime this fall. This notice will announce the time period within which comments/input will be accepted as well as the dates, times, and locations of one or more public hearings.